

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

FEB 29 2000

NANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT

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|---|---|-----------------------------|
| In Re: Vitamins Antitrust Litigation |) | Misc. No. 99-0197 (TFH) |
| |) | |
| This Document Relates To: |) | MDL No. 1285 |
| |) | |
| NBTY, Inc., Rexall Sundown, Inc., Twin |) | Case No. 99-CV-2372 |
| Laboratories, Inc., and Cambr Company, |) | |
| Inc., f/k/a Solgar Vitamin & Herb |) | |
| Company v. F. Hoffmann-LaRoche |) | |
| Ltd., et al., |) | |
| |) | |
| Perrigo Company, et al v. |) | Case No. 99-CV-2411 |
| F. Hoffmann-LaRoche Ltd., et al, |) | |
| |) | |
| Natural Alternatives International, Inc., |) | Case No. 99-CV-2682 |
| Nutraceutical Corporation, Makers of |) | |
| Kal, Inc., and Weider Nutrition |) | |
| Group, Inc. v. F. Hoffmann-LaRoche |) | |
| Ltd., et al, |) | |
| |) | |
| Leiner Health Products Inc. v. |) | Case No. 99-09832-JSL (Rzx) |
| F. Hoffmann-LaRoche Ltd., et al, |) | (C.D. Cal.) |

**STIPULATION FOR DISMISSAL WITH PREJUDICE
OF CLAIMS AGAINST DAIICHI DEFENDANTS**

In accordance with Rule 41 of the Federal Rules of Civil Procedure, Plaintiffs NBTY, Inc., Rexall Sundown, Inc., Twin Laboratories, Inc., Perrigo Company, Natural Alternatives International, Inc., Nutraceutical Corporation, Makers of Kal, Inc., Weider Nutrition Group, Inc. and Leiner Health Products Inc. (collectively "Plaintiffs") and Defendants Daiichi Pharmaceutical Co., Ltd., Daiichi Pharmaceutical Corporation and Daiichi Fine Chemicals, Inc. (collectively "Daiichi Defendants") stipulate and agree to the dismissal, with prejudice, of Plaintiffs' claims in each of the above-captioned lawsuits. This dismissal with prejudice is

without prejudice to Plaintiffs' claims against any other Defendants or alleged co-conspirators in the above-captioned cases. A proposed Order of Dismissal With Prejudice accompanies this Stipulation.

Respectfully submitted,

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By: 

Counsel for Plaintiffs NBTY, Inc., Rexall Sundown, Inc., Twin Laboratories, Inc., Perrigo Company, Natural Alternatives International, Inc., Nutraceutical Corporation, Makers of Kal, Inc., Weider Nutrition Group, Inc. and Leiner Health Products Inc.

-- and --

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By: 

Counsel for Defendants Daiichi Pharmaceutical Corporation and Daiichi Fine Chemicals, Inc.

Dated: February 28, 2000

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

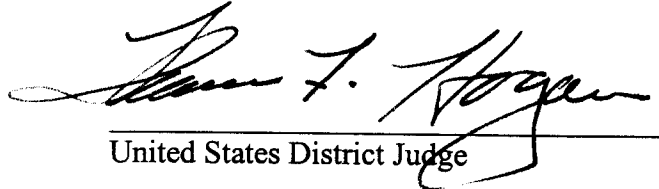
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| Herb Company v. F. Hoffmann- |) | |
| LaRoche Ltd., et al., |) | |
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| F. Hoffmann-LaRoche Ltd., et al, |) | |
| |) | |
| Natural Alternatives International, |) | Case No. 99-CV-2682 |
| Inc., Nutraceutical Corporation, |) | |
| Makers of Kal, Inc., and Weider |) | |
| Nutrition Group, Inc. v. |) | |
| F. Hoffmann-LaRoche Ltd., et al, |) | |
| |) | |
| Leiner Health Products Inc. v. |) | Case No. 99-09832-JSL (Rzx) |
| F. Hoffmann-LaRoche Ltd., et al, |) | (C.D. Cal.) |
| |) | |

**ORDER OF DISMISSAL WITH
PREJUDICE OF DAIICHI DEFENDANTS**

AND NOW, this 28th day of February, 2000, upon consideration of the foregoing stipulation by Plaintiffs and the Daiichi Defendants, it is

Ordered that the foregoing stipulation of Plaintiffs and the Daiichi Defendants to dismiss with prejudice Plaintiffs' claims in the above-captioned cases against the Daiichi Defendants be and the same is Accepted. Accordingly, the claims in the above-captioned cases of Plaintiffs NBTY, Inc., Rexall Sundown, Inc., Twin Laboratories, Inc., Perrigo Company, Natural Alternatives International, Inc., Nutraceutical Corporation, Makers of Kal, Inc., Weider Nutrition

Group, Inc. and Leiner Health Products Inc. against Defendants Daiichi Pharmaceutical Co., Ltd., Daiichi Pharmaceutical Corporation and Daiichi Fine Chemicals, Inc. (the "Daiichi Defendants") be and the same are hereby dismissed with prejudice. This Order is without prejudice to Plaintiffs' claims against any other Defendants or alleged co-conspirators in the above-captioned cases.


United States District Judge

cc: Counsel for the Daiichi Defendants
shall mail conformed copies of
this Order to all counsel of record
in MDL No. 1285

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